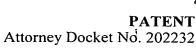
2184



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nick P. DiVittorio

Application No. 09/449,912

Filed: December 2, 1999

For: A MULTI-LEVEL MULTI-VARIABLE

CONTROL PROCESS PROGRAM

EXECUTION SCHEME FOR DISTRIBUTED PROCESS CONTROL

**SYSTEMS** 

Group Art Unit: 2784

Examiner: Not Assigned

RECEIVED

JUL 3 0 2001

Technology Center Company

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Washington, D.C. 20231

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date

In re Appln. of Nick P. DiVittorio Application No. 09/449,912

	e filing of a request for continued examination under 37 CFR 1.114.		
after (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes <i>one</i> of:			
	the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).		
	the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).		
after the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).			
after the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and within thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).  NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.			
s of the	References		
Attache	of the references listed on the enclosed Form 1449 are enclosed herewith. ed to each reference not in the English language is a concise explanation of the ace pursuant to 37 CFR 1.98(a)(3).		
Attache relevan	of the references listed on the enclosed Form 1449 are enclosed herewith. ed to each reference not in the English language is a concise explanation of the		
•	or after the under 3 and or 37 CFF set fort.  after the payment contain 37 CFF \$180 as NOTE: May 29, with 37 0		

In re Appln. of Nick P. DiVittorio Application No. 09/449,912

	U.S. APPLICATIONS		Status (check one)			
U	S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED	
1.						
2.						
3.			·			
Statement under 37 CFR 1.97(e)						
	The <b>undersigned</b> hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.					
	The <b>undersigned</b> hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.					
Statement under 37 CFR 1.704(d)						
	The <b>undersigned</b> hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.					
Fees						
	No fee is owed by the applicant(s). The IDS Fee of \$180 under 37 CFR 1.17(p) is enclosed herewith.					
Method of Payment of Fees						
	Attached is a check in the amount of \$ . Charge Deposit Account No. 12-1216 in the amount of \$ . (A duplicate copy of this communication is enclosed for that purpose.)					
Autho	Authorization to Charge Additional Fees					
	If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)					

In re Appln. of Nick P. DiVittorio Application No. 09/449,912

## Instructions as to Overpayment

Credit Account No. 12-1216. Refund

Mark Joy, Reg. No. 35,362 LEYDIG, VOIT & MAYER, LTD. Two Prudential Plaza, Suite 4900

180 North Stetson

Chicago, Illinois 60601-6780 (312) 616-5600 (telephone)

(312) 616-5700 (facsimile)

Date: July 19, 2001

## **CERTIFICATE OF MAILING**

I hereby certify that this INFORMATION DISCLOSURE STATEMENT (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date:_	4-20-01	nama Ochos

IDS (Rev. 2/1/2001)